LANDLORD AND TENANT.

DOUBLE RENT.

Higgs v. Markie.—This was an action brought in the Clerkenwell County Court, to recover the sum of 1*l.* 4*s.* for three weeks' double rent of workshop, &c. situate in Red Lion-yard, Warner-street, Clerkenwell.

The plaintiff's agent proved the service of a written notice upon the defendant to quit the premises, and which notice set forth that in the event of his failing to deliver up possession at the expiration of the time therein specified, viz. one week, the rent would in future be 16*s.* a week, being double the rent he was then paying.

Mr. Wakeling having elicited, that, notwithstanding the notice, the agent had continued to receive the original rent of 8*s.* a week down to the present time, submitted, upon the authority of Chiney *v.* Batten (Woodfall, 499; and Cowp. 243), that the acceptance of single rent accruing subsequent to the notice was a waiver of the landlord's right to double rent. In fact, it was extremely doubtful whether there was any foundation in law for this mode of enforcing the possession of a weekly tenement. There was a remedy secured to all landlords by the 122nd section of the 9 & 10 Vict. c. 95, and which empowered the judge of a County Court, when the rent payable does not exceed 50*l.* by the year, to issue a warrant requiring the tenant, within a period to be therein named (not less than seven or more than ten days from the date of such warrant), to give possession of the premises; and such warrant was a sufficient authority to the bailiff to enter upon the premises and to give possession accordingly. The right to sue for double value was created by the 4th Geo. II. cap. 28, and on referring to the 1st section, his Honour would find the words to be, "in case any tenant or tenants for any term of life, lives, or years." These words clearly applied to yearly tenants, and not to a weekly tenancy. The 11th Geo. II. cap. 19, gave the landlord the power to sue for double rent (not double value). But although this Act was not confined to tenants for lives or years, as the previous Act, it referred to cases where the notice to quit has been given by the tenant to the landlord, and not, as in the case now before the Court, by the landlord to the tenant. He (Mr. Wakeling) submitted with great confidence that the landlord in the present case had no power to charge double rent; and that if such power really existed he had waived his right to double rent by the acceptance of the single rent after the determination of the tenancy.

His Honour concurred with this view of the law. The landlord's course was clear under the 9th and 10th Vict. cap. 95, and would prevent much wasteful and expensive litigation.

Judgment for the defendant, with costs for his loss of time and attendance of witnesses.

KILLARNEY RAILWAY HOTEL COMPETITION.

In your last number, you state that certain designs have been selected by the directors for final decision. Allow me to remark, that having furnished a laborious set of plans for this building, in reply to the advertisement, the secretary personally called at my offices to know if I would guarantee the erection of my designs for a sum within the stipulated amount (6,000*l.*) which I accordingly did, and as a further proof of my veracity, procured for him, at considerable trouble to myself, estimates from respectable parties as to the exact expenditure, which came within the mark. Up to the date of your publication, I fully calculated (at least) on the chance of success, it having been represented to me on good authority that "my" plans, together with another set furnished by a Dublin architect, had been selected out of the lot furnished for final consideration. I heard it whispered *then*, that one of the rejected sets had been placed again on the list, but that still my chance was "good," until I discovered that, notwithstanding the additional information required from me, the result is as you have stated. I was informed by the Secretary that the Railway Company had nothing to do with this "Railway" Hotel.

May I ask, is it right that a secretary should thus take up the time of, and give extra trouble to, a professional man, by noticing his designs in a complimentary manner, finding out additional information respecting them, thereby elating the author with hopes of success, and perhaps preventing him from attending to his other professional duties, not to speak of time lost in making inquiries at the terminus as to the result of the decision? The guarantee that was required has been given threefold, and yet my plans are rejected. Is interest the bane of all competition at work? Professional advice was called in on *two* sets of designs: if mine were so highly estimated as stated, why had I not an equal chance? A COMPETITOR.

Notices of Books.

Wonderful Things (1 to 8, weekly parts). *The Biographical Magazine. Uncle Tom's Companions.* J. Passmore Edwards, Ludgate-hill.

THE last of these works, some of the cheap and creditable little books issued by Mr. P. Edwards, consists of the lives of various fugitive slaves who have walked the streets of London, and rehearses horrors and atrocities as acted facts which would have been pronounced scandalous exaggerations had they appeared in the pages of Mrs. Stowe's extraordinary volume. The popularity which has attended "Uncle Tom's Cabin," is unexampled and well deserved. The Paris *Charivari* gives an amusing version of the excitement it has caused in England and America, describing, amongst other occurrences, how a decent Quaker, after waiting all night at the tail of a crowd leading to the publisher's shop, having at length placed his dearly-bought volume under his arm, and is trudging contentedly home, is stopped by two respectably dressed men, who, each clapping a pistol to his head, shout, "Your 'Uncle Tom's Cabin' or your life!"

The Art of Miniature Painting. By C. W. DAY. Winsor and Newton, Rathbone-place, London.

THIS is one of a series of small books, published by Winsor and Newton, on various branches of the painter's art. Although of course it will not make a miniature painter, it contains much useful information calculated to shorten the work and improve the result.

Proceedings of the Liverpool Architectural and Archæological Society. Liverpool: Deighton; London: Weale.

THE first volume of transactions published by the Liverpool Architectural Society includes the sessions 1848-9 and 1849-50, and forms a goodly quarto volume of 243 pages, nicely printed and got up. Some of the papers have considerable literary excellence, and are most honourable to the architectural body in Liverpool. We must also mention with commendation, a series of illustrations of Bebbington Church, cleverly drawn on stone by Mr. J. Murray. As we have chronicled the doings of the society from its formation in 1848 to the present time, all the papers here printed have been mentioned in our pages. We invite for the society the consideration and co-operation of their townsmen, and cordially wish them a continuation of success.

A New Gazetteer, or Topographical Dictionary. By MR. JAS. A. SHARP. Longman and Co.

THIS very excellent *Gazetteer*, concerning which we have already spoken favourably, has now reached the tenth part in its monthly form, and is brought up to the letter K.

The Travellers' Library, Nos. 29 to 33. Longman and Co. 1852.

WE have here an interesting treatise on a very interesting subject, namely, the Australian Colonies, by Mr. William Hughes, F.R.G.S. late Professor of Geography in the College for Civil Engineers,—in two of the shilling parts; the Rev. G. R. Gleig's "Battle of Leipsic,"—also in two parts; and another appropriate subject for this Wellington week of national mourning, namely, the able memoir of the Duke that appeared in the *Times*, on the announcement of his death, and which we are glad to see in this more permanently accessible form,—a little volume.

THE ARCHITECTURAL ASSOCIATION.—At a meeting, on the 29th October, a paper was read by Mr. P. Lee, jun. "On the Present Condition and Future Prospects of Architecture;" too difficult a theme for a young writer. At the close, he urged the want of an establishment with library, museum, and the domestic advantages of a home.

Miscellanea.

RATING PREMISES IN THE GOVERNMENT DOCKYARDS PARTLY OCCUPIED BY CONTRACTORS.—At the Portsmouth Sessions, lately, an appeal was heard against a poor-rate, made by the parish officers of Portsea on Mr. Dotterill, in respect of his occupation of an office, store, and shops, situate in the bricklayers' and masons' yard, within her Majesty's dockyard; and the ground of appeal was that such premises were not in the occupation of the appellant, but were occupied by her Majesty. The recorder, on hearing both parties, and their witnesses, said that the title of the occupiers might be very slight, as a tenant at will might be rated. The rights of the Crown were intact, and the Government might re-enter at any time. He considered that the appellant became the occupier when the premises were handed over to him by Absolam, and if the Government had ever exercised their rights to re-enter it would have been different; but they had not done so and the appellant continued in occupation. For the purposes of supervision, a clerk of the works must, as a matter of course be employed, and Mr. Dotterill, as a matter of right, should accommodate the clerk. The stores and materials belonging to the Government might be considered as an easement: the keys were deposited (with the other keys under Government charge), at the benefit of both parties: the Government officers would have a right to enter the premises to see the contract performed. On the whole, he did not consider that there was such an occupation on the part of the Government as was incompatible with an exclusive beneficial occupation on the part of the appellant, and therefore he confirmed the rate. Costs to the amount of 10*l.* were given to the respondents. Application was made on the part of Mr. Dotterill, for a case for the decision of the Court above, which was granted by the recorder, but on the ground that he should state the case himself.

OPENING OF DIOCESAN TRAINING INSTITUTION AT HOCKERILL.—The inauguration of this institution took place on Wednesday in last week. It is a Tudor building of the period of Decorative architecture of the seventeenth century, with lofty pinnacles, bell-towers, and round chimney-shafts. The object of Mr. Clarke, the diocesan architect, has been to combine modern use with the picturesque outline and detail of that period. The material is red brick, chequered in front, and with Bath-stone dressings to the doors, windows, &c. The interior is arranged to accommodate sixty female pupils, with a residence for the lady superintendent, and rooms for the necessary governesses. The form being quadrangular, there is an open court in the centre, laid out, and about to be planted as a pleasure-garden, with a covered ambulatory all round it, communicating with the several departments of the institution, while the pillars that support it next the court are to be covered with climbing plants. The original plan included a chapel, but for the present this has been dispensed with, the committee having contributed 100*l.* towards the erection of All Saints' Church, close to the threshold of the institution, and thus provided for the accommodation of the pupils there till such time as it shall be found necessary to erect a separate chapel, which can at any time be added, in accordance with the present arrangements of the building. The total cost, which, including fittings and furniture, is 10,500*l.* has been covered by subscriptions, and a further sum of 2,400*l.* has been raised to establish and maintain the institution for four years.

CAMBRIDGE ARCHITECTURAL SOCIETY.—The second meeting for the October term was held on Wednesday. Two papers were read,—one by Mr. Norris Deck, on the "Antiquities of Exning and Landwade, Suffolk;" the other by Mr. J. H. Cooper, of Trinity College, on "The Cathedral of St. Asaph." Mr. Luard, of Trinity College, then described a recent visit to the Grande Chartreuse, an object of interest and curiosity, though seldom visited by travellers.

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